

### **Remark**

Applicants respectfully request reconsideration of this application as amended. Claims 1-13, 16-18 and 35-36 have been amended. Claims 19-20 and 37-45 have been cancelled. Claims 46-55 are new. Therefore, claims 1-18, 33-36 and 46-55 are present for examination. A replacement abstract and/or title can be provided upon the indication of allowable subject matter

### **35 U.S.C. §103 Rejection**

#### **Rzeszewski, Rowe and Etheredge**

The Examiner has rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Rzeszewski et al., U.S. Patent No. 5,699,125 (“Rzeszewski”) in view of Rowe et al., U.S. Patent No. 5,812,123 (“Rowe”) and further in view of Etheredge, U.S. Patent No. 5,812,123 (“Etheredge”). These claims have been amended to correct inconsistencies and grammatical errors and to correct some matters of form and style. None of the references suggest that a single user should have any more than one customized list of channels. Etheredge uses names and passwords to restrict access to certain channels and to allow different features for different users. Rowe shows a structure in which the EPG is sorted into categories (sports) and subcategories (basketball) with a list of programs (basketball game broadcasts) for each subcategory. The Examiner appears to analogize selection of a category and a subcategory in Rowe to displaying a list of identified preferences lists to the user and receiving a selection of a displayed identified preferences list from the user, as recited in e.g. Claim 1.

While Rowe may suggest providing more than one program listing (subcategory listings), there is nothing in Rowe to suggest either that these be customizable or that they be associated with any particular user. On the contrary, Rowe tries to ease channel selection using categories instead of customizable lists. In the art, notwithstanding the large number of references on the topic, user passwords and multiple lists are always alternatives to each other and never combined. Rzeszewski and Etheredge exemplify this. Applicants submit, that until the present invention, user id's were employed only as a way to provide the single perfect list whether provided by an outside source or selected by the user. Multiple lists were used only as an alternative to a user id. The present invention supports the realization that there may not be a perfect list for each user, even if the list is adaptive or self-learning. Even a single user may wish to have a set of lists from which to choose, depending on need, desire, mood etc. The present invention allows multiple customizable lists for each user id., greatly enhancing the usability of the system.

Accordingly, claims 1, 6, 11, and 51 are believed to be allowable over the cited references. The remainder of the pending claims depend from one of claims 1, 6, 11, and 51 and are believed to be allowable therefor, among other reasons.

### **35 U.S.C. §103 Rejection**

#### **Rzeszewski , Klosterman, Etheredge, Rowe and Ellis**

The Examiner has rejected claims 33-45 under 35 U.S.C. § 103(a) as being unpatentable over Rzeszewski et al. in view of Klosterman, U.S. Patent No. 6,018,372 ("Klosterman"), Etheredge, Rowe, and Ellis et al, U.S. Patent No. 5,986,650 ("Ellis"). Claims 33-36 are dependent upon one of the claims discussed above and are allowable therefor, among other reasons. Claims 37-45 are canceled.

### **Conclusion**

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

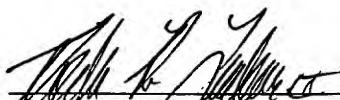
**Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 7/9/13

  
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